

REMARKS

Favorable reconsideration and withdrawal of the objections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Title

The title has been objected to as not being descriptive. In response, a new title, which is more clearly indicative of the claimed invention, is presented herein for the Examiner's consideration and approval.

Abstract

The Abstract of the Disclosure is objected to because of the inclusion of so-called legal phraseology. In response, a new Abstract, which avoids the use of such terminology, has been provided for the Examiner's consideration and approval.

Specification

The specification has been amended to attend to place it in better form. It is respectfully submitted that no new matter has been added.

Claims Status

Claims 1 through 7 remain pending in the application. Claims 8 through 15 have been canceled. Claims 1 and 5 through 7 have been amended to even more succinctly define the invention and/or to improve their form. It is respectfully submitted that no new matter has been added. Claim 1 is the only independent claim pending in the application.

Election of Species

The Examiner has made a two-way election of species requirement alleging that there are two patentably distinct species of the claimed invention, i.e. (1) an image forming

apparatus including a control means for controlling a moving speed ratio between the image bearing member and the intermediary member, as shown by Figure 1; and (2) an image forming apparatus including a control means for controlling a condition of the primary transfer, as shown by Figure 10.

A provisional election of Species I, i.e., Claims 1 through 7, was made, with traverse, in a telephone conversation of February 4, 2005, between the Examiner and Applicants' undersigned attorney.

The election of Species I is hereby confirmed. Claims 8 through 15 have been canceled herein.

Allowed Claims

It is acknowledged with appreciation that Claims 1 through 7 are allowed.

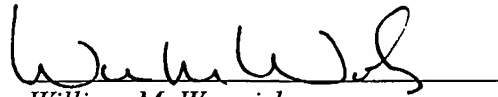
It is respectfully submitted that the amendments to all of these claims do not affect their allowability.

Closing Comments

It is respectfully submitted that all of the pending claims are allowable over the art of record and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the application are earnestly solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the address shown below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William M. Wannisky', written over a horizontal line.

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